

## Article - General Provisions

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§5–853.

(a) (1) When an application is filed, the applicant shall file an affidavit, under oath, stating whether the applicant:

(i) has made any contribution or contributions having a cumulative value of at least \$500 to the treasurer of a candidate or the treasurer of a political committee during the 48-month period before the application is filed, to the best of the applicant's information, knowledge, and belief; or

(ii) currently is engaging in business with an elected official.

(2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, if the applicant or a party of record or a family member has made a contribution or contributions having a cumulative value of at least \$500 during the 48-month period before the application was filed or during the pendency of the application, the applicant or the party of record shall file a disclosure providing the name of the candidate or elected official to whose treasurer or political committee the contribution was made, the amount, and the date of the contribution.

2. If the party of record is a community association, the association is not required to poll its members to disclose individual contributions.

(ii) A contribution made between the filing of the application and the disposition of the application shall be disclosed within 5 business days after the contribution.

(3) An applicant who begins engaging in business with an elected official between the filing of the application and the disposition of the application shall file the affidavit at the time of engaging in business with the elected official.

(b) Except as provided in subsection (a)(3) of this section, the affidavit or disclosure shall be filed at least 30 calendar days before any consideration of the application by an elected official.

(c) Within 2 weeks after entering a proceeding, a party of record that has made a contribution shall submit a disclosure as described in subsection (a)(2) of this section.

(d) (1) Except as provided in paragraph (2) of this subsection, a contributor and an elected official are subject to this part if the contributor makes a contribution to:

- (i) the candidate;
- (ii) a slate; or
- (iii) the candidate's political committee.

(2) This part does not apply to a transfer by a political action committee to a candidate or the candidate's continuing political committee.

(e) (1) An affidavit or a disclosure required under this part shall be in a form established by the Howard County Solicitor and approved by the County Council.

(2) The completed form shall be filed in the appropriate case file of an application.

(3) The disclosure form shall repeat the penalty provision in § 5–854(a) of this subtitle.

(f) A contribution made after the filing of the initial disclosure and before final disposition of the application by the County Council shall be disclosed within 5 business days after the contribution.

(g) In the enforcement of this part, the administrative assistant to the zoning board or the administrator of the County Council, as appropriate, considering an application shall be subject to the authority of the Howard County Ethics Commission and, unless otherwise directed by the Ethics Commission, shall:

- (1) receive filings of affidavits and disclosures;
- (2) maintain filed affidavits and disclosures as public records available for review by the general public during normal business hours;
- (3) report violations to the Howard County Ethics Commission; and
- (4) perform ministerial duties necessary to administer this part.

(h) (1) Promptly on receipt, the administrative assistant to the zoning board and the administrator of the County Council shall prepare a summary report compiling all affidavits and disclosures filed under this part.

(2) The summary report shall be a public record and available for immediate inspection on written request.

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